

REMARKS

The undersigned wishes to thank Examiner Pezzuto for the courtesy of a series of telephone interviews. During the telephone interviews, the undersigned attempted to distinguish the structural features of the two prior art references to Kugler and Barnes, separately or in combination with one another, with the unique structural features of the present invention. Thereafter, a draft amendment was forwarded to Examiner Pezzuto for review whereupon Examiner Pezzuto made a third reference to Vodinelich available for further consideration in formulating a response and amended claims. No further agreement was reached.

THE REJECTION

Claims 1 to 3 stand rejected under 35 U.S.C. 102 as being unpatentable over Kugler or Barnes.

THE INVENTION

The present invention as now more clearly claimed in new claim 4 hereinabove is directed to a rotary blade blocker for temporarily being clamped to the edge of the deck of a rotary mower so as to prevent inadvertent movement of the blade of the mower while the under deck is being cleared or while the blade is being removed for sharpening. The invention consists essentially of an L-shaped bracket having a threaded clamping member dependently attached thereto and a separate, but attached moveable blocking member which is connected to a second leg of the L-shaped member. An adjustable width gap is formed between the proximal end of the threaded clamping member and the blocking member which is sized to receive the thickness of the lower edge of the deck of the mower. By tightening engagement of the clamping member against the outer surface

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of the deck, the device is secured in place for non-trapping blocking engagement with one edge of the blade.

REFERENCES OF RECORD DISTINGUISHED

With respect to the Kugler reference, during the telephone interview, the undersigned stressed that the present invention does not entrap an end of the blade as shown in Figure 1 of Kugler and that the resilient wire structure of Kugler which could prove to be inadequate for the task of clamping engagement to the lower edge of the deck is overcome by the strength and simplicity of the present invention as now claimed.

The Barnes reference also teaching a clamp assembly for limiting the movement of the cutting blade of a lawn mower discloses a VICE-GRIP type structure wherein an enlarged block is attached to one of the jaws of the VICE GRIP tool for clamping engagement against the inner surface of the mower deck.

Regarding the unapplied reference to Vodinelich, the same limitation with respect to Kugler is noted in that one end of the blade is entrapped within the Vodinelich structure after which the spaced jaw elements 29 and 32 are clampingly engaged onto either side of the lower edge of the mower deck.

The overall simplicity of the present invention should be clearly evident and as now more clearly claimed in new independent claim 4, limited by the preamble format, the invention, it is submitted, is now in condition for allowance and same is respectfully requested. However, if Examiner Pezzuto is unable to comply with this expectation, he is requested to contact the undersigned again directly for an additional telephone interview

before issuing any further office action.

Respectfully submitted,



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CERTIFICATE OF MAILING

I HEREBY CERTIFY that the foregoing is being facsimile transmitted to the Honorable Commissioner for Patents, (703) 872-9306, this July 9, 2004.


Charles J. Prescott